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AUG 23 2005

**FACSIMILE COVER SHEET****Examiner:** Phylesha Larvinia Dabney **Group:** 2643**Date:** August 23, 2005**Client Code:** 2506**Facsimile No.:** 571-273-8300**From:** Kevin T. Shaughnessy

**Subject: Paper:** Request for Continued Examination (RCE) Transmittal w/copy;  
Amendment;  
Amendment Fee Transmittal w/copy; and  
Request for Change of Docket Number and Corrected Filing Receipt  
w/copy.

**Docket No.:** 2506.1009-001**Applicants:** John G. Aceti, *et al.***Serial No.:** 09/524,666**Filing Date:** March 13, 2000**RECEIVED  
OIPE/IAP****Number of pages including this cover sheet:** 30

AUG 25 2005

**Please confirm receipt of facsimile:** Yes X No     **Comments:**

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LRR/TJM/KTS/mdm

August 23, 2005

DOCKET NO. 2506.1009-001

Expedited Procedure under 37 C.F.R. 1.116

Examining Group 2643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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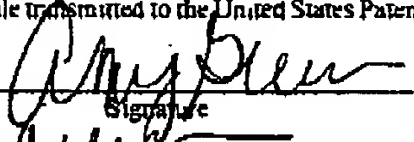
Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney, John M. Margicin, Walter P. Sjursen, Michael H. Tardugno and David A. Preves

Application No.: 09/524,666 Group: 2643

Filed: March 13, 2000 Examiner: Dabney, Phylesha Larvinia

Confirmation No.: 6745

For: DISPOSABLE MODULAR HEARING AID

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on.	
8-23-05	
Date	Signature
Amy Dabney	
Typed or printed name of person signing certificate	

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Request for Continued Examination and an Amendment for filing in the above-identified application.

- [ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

09/524,666

-2-

The claims fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	51	MINUS	* 57	0
INDEP	17	MINUS	** 19	0
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

\* not fewer than 20  
\*\* not fewer than 3

## SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 25	\$
X	\$ 100	\$
+	\$ 180	\$

TOTAL= \$ 0OTHER THAN  
SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 50	\$
X	\$ 200	\$
+	\$ 360	\$

TOTAL= \$ 0

The Application Size Fee has been calculated as shown below:

(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (increments of 50 sheets)

## SMALL ENTITY

Rate	Total Amount Owed
X \$125	\$[ ]

OTHER THAN  
SMALL ENTITY

Rate	Total Amount Owed
X \$250	\$[ ]

Payment  
Sufficient for  
up to

[ ] Sheets

### Petition for Extension of Time

- [ X ] The undersigned Agent petitions the Commissioner for Patents to extend the time for filing a Notice of Appeal in reply to the Office Action made Final dated February 23, 2005 for three months, from May 23, 2005 to August 23, 2005 under 37 CFR § 1.136(a).

In lieu of filing a Notice of Appeal, the Applicant is filing a Request for Continued Examination concurrently herewith.

09/524,666

-3-

**Please charge Deposit Account No. 08-0380 for the following fees:**

<input checked="" type="checkbox"/>	Petition for Three month Extension of Time	\$	1020
<input type="checkbox"/>	Claims Fee	\$	
<input type="checkbox"/>	Application Size Fee	\$	
<input checked="" type="checkbox"/>	Other Fees:		
	Request for Continued Examination	\$	790
		\$	
		\$	
	TOTAL:	\$	1810

**A check is enclosed in payment of the following fees:**

<input type="checkbox"/>	Petition for three month Extension of Time	\$	
<input type="checkbox"/>	Claims Fee	\$	
<input type="checkbox"/>	Application Size Fee	\$	
<input type="checkbox"/>	Other Fees:		
		\$	
		\$	
	TOTAL:	\$	0

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

By Kevin T. Shaughnessy  
Kevin T. Shaughnessy  
Registration No.: 51,014  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 8/23/05

LRR/TJM/KTS/mdm

August 23, 2005

DOCKET NO. 2506.1009-001

Expedited Procedure under 37 C.F.R. 1.116

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09/524,666

Group:

2643

Filed:

March 13, 2000

Examiner:

Dabney, Phylesha Larvinia

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<u>8-23-05</u>	<u>[Signature]</u>
Date	Signature
<u>[Signature]</u>	
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Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 8/23/05

@PFDesktop\ODMA\MHODMA\HBSR05\Manage;570261;1  
LRR/TJM/KTS/mdm  
August 23, 2005

PATENT APPLICATION  
Docket No. 2506.1009-001

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8-23-05 Date	<i>Amy Green</i> Signature
Typed or printed name of person signing certificate	

REQUEST FOR CHANGE OF DOCKET NUMBER  
AND CORRECTED FILING RECEIPT

Customer Correction Office  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant's attorney requests that the docket number of record for the above-referenced case be changed to 2506.1009-001. This request is made to better identify this application within our offices.



09/524,666

-2-

Please provide a corrected Filing Receipt indicating the new attorney docket number.

Please charge Deposit Account No. 08-0380 for any fees that may be due in this matter.

One additional copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy  
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Date: 8/23/05

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August 23, 2005

PATENT APPLICATION  
Docket No.: 2506.1009-001

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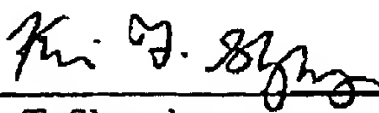
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